

5-37. Standards for Pesticide Containers and Containment: Determinations for Compliance with Pesticide Residue Removal Requirements (1200 TN 593 5-37)

1. AUTHORITY. To perform the following EPA functions and responsibilities pursuant to the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), Section 19(f):

- a. To make a determination under FIFRA Section 19(f)(2) whether or not individual States are carrying out adequate programs to ensure compliance with the pesticide residue removal requirements.

2. TO WHOM DELEGATED. The authority in 1.a. is delegated to the Director, Land, Chemicals and Redevelopment Division (LCRD).

3. LIMITATIONS.

- a. This delegated authority is limited to making determinations whether or not individual States are carrying out adequate programs to ensure compliance with the pesticide residue removal requirements.
- b. The appropriate Regional Administrator, or his or her delegatee, shall make a finding of whether or not a particular State is carrying out an adequate program to ensure compliance with the pesticide residue removal requirements based on guidance criteria issued jointly by the Office of Chemical Safety and Pollution Prevention (OCSPP) and the Office of Enforcement and Compliance Assistance (OECA).
- c. When making such a determination, the appropriate Regional Administrator, or his or her delegate, shall notify the Assistant Administrator for OCSPP, or his or her delegatee.

4. REDELEGATION AUTHORITY.


- a. The authority in 1.a. may be redelegated to the Branch Chief level, but no further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. Section 19(f)(2) of FIFRA.

Standards for Pesticide Containers and Containment: Determinations for Compliance with Pesticide Residue Removal Requirements (continued)

6. SUPERSESSION. Delegations Manual, FIFRA, Regional Delegation 5-37. Standards for Pesticide Containers and Containment: Determinations for Compliance with Pesticide Residue Removal Requirements, 1200 TN RIII 171, (August 14, 2008).

Date: APR 15 2019


Cosmo Servidio
Regional Administrator